

# The Zoning Reform Group

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**PUBLIC WORKSHOP  
ON  
ZONING REFORM IN NEWTON**

**WEDNESDAY JULY 27, 2011**

## ZRG PUBLIC WORKSHOP

### Overview

Background

Toolkit

Principles and Goals

Subcommittee  
Recommendations

Breakout Session

Next Steps

## Overview of Public Workshop

- Welcome!
- Agenda
  - Presentation 7:00-7:30
  - Breakout Sessions and red-dot voting 7:30-8:30
  - Discussion and Next Steps 8:30-9:00
- Purpose
  - Solicit public input on the principles and goals that Newton values in a Zoning Ordinance
  - Discuss areas of the Zoning Ordinance which in need of improvement

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## What is the Zoning Reform Group?

- Created by the Board of Aldermen, Spring 2011
- Scope:
  - To help create a process for zoning reform
  - To identify areas for improvement: (structure, regulations, process)
- Five meetings held since March
- Subcommittees formed for specific topics:
  - Residential Areas
  - Commercial Areas
  - Institutional, Public Use, & Open Space
- Meeting notes and resources are available online:  
<http://www.newtonma.gov/Planning/zoning-reform-group.htm>

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## Zoning In Newton

- Initial purpose of the Zoning Ordinance in 1922
  - Promote health, safety, convenience, and welfare to the inhabitants
  - Lessen danger from fire
  - Improve the city
- Major Revisions in 1940, 1953, and 1987
  - Response to new development
  - New rules were more restrictive and specific
- 2007 Comprehensive Plan
- Recent changes:
  - Revisions to FAR for residences
  - Revisions to accessory apartments
  - Inclusionary housing
  - Grade changes and retaining walls
  - Green building special permit requirement
  - Planned Multi-Use Business Developments (PMBD)
  - Height and grade plane redefinitions

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## The changing objectives for Zoning

- What we expect zoning to accomplish has changed
- Current purposes; from State statute, Chapter 40A
  - a) Encourage the most appropriate use of land, including consideration of the Comprehensive Plan
  - b) Prevent overcrowding of land/undue concentration of population
  - c) Conserve the value of land and buildings, natural resources
  - d) Encourage efficient use and conservation of natural resources/energy
  - e) Lessen traffic congestion
  - f) Assist in adequate provision of infrastructure and public facilities
  - g) Preserve and increase amenities and aesthetics of the city
  - h) Encourage housing for people of all income levels
  - i) Reduce hazards from fire and other dangers
  - j) Provide for adequate light and air

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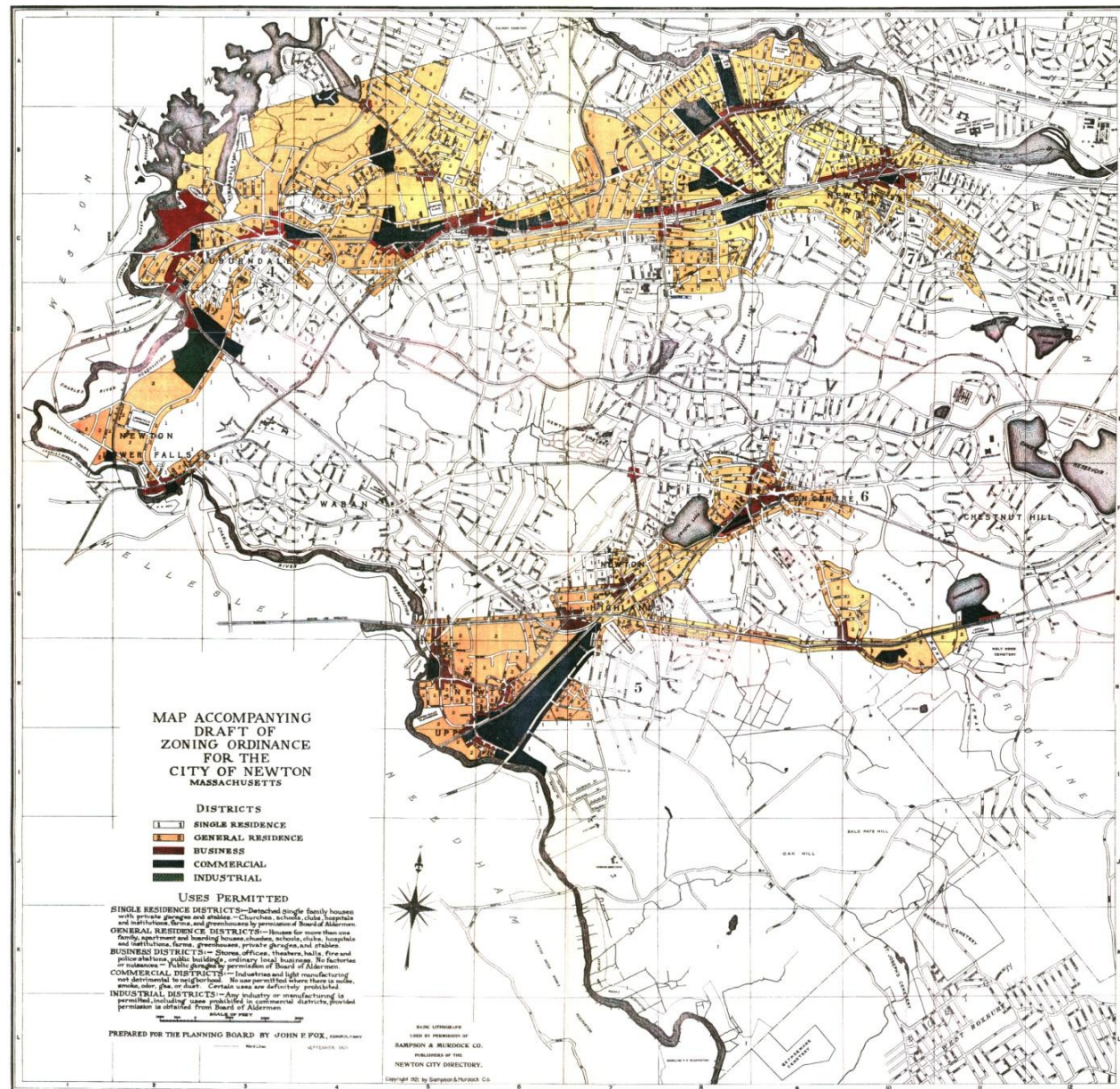
Breakout Session

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## Regulatory Process

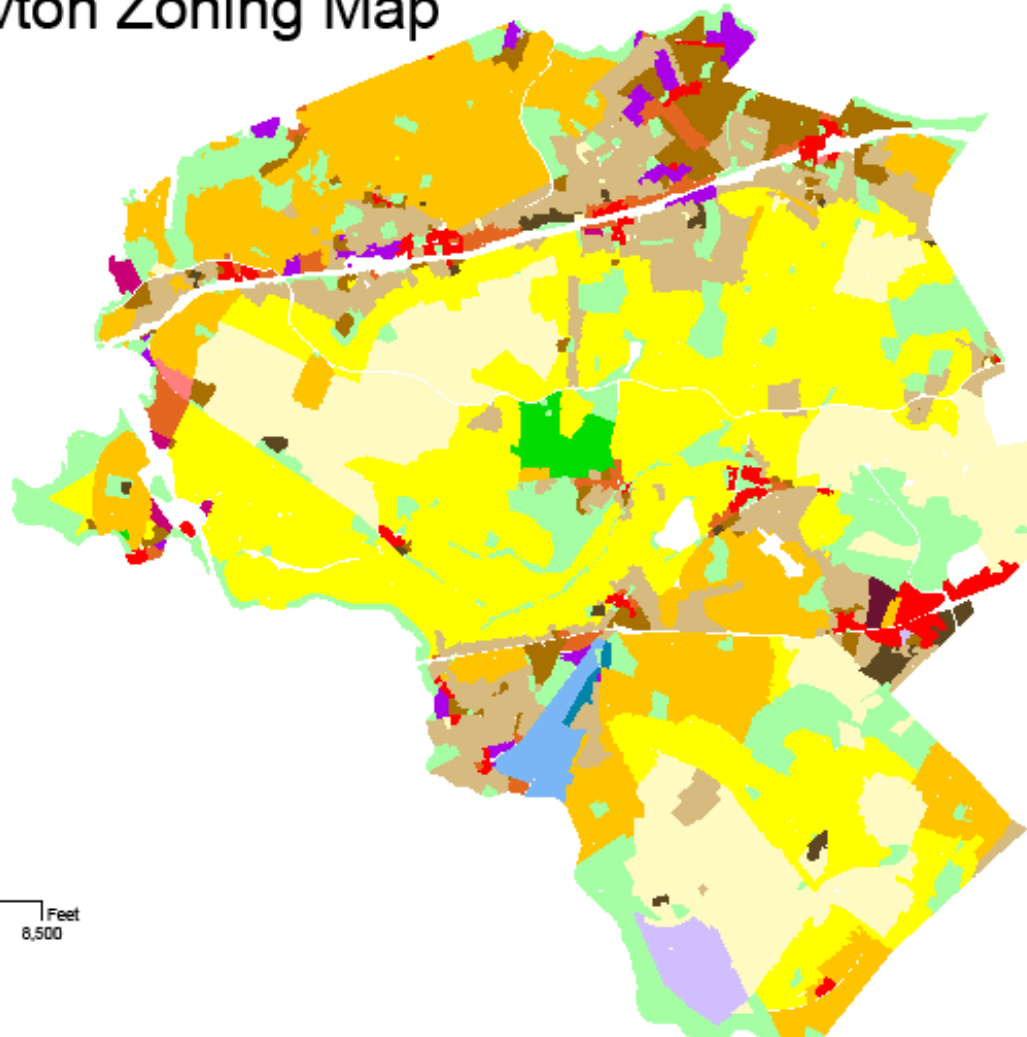
- Zoning Ordinance has three approval processes
  - By Right
    - ✦ No permission required, administered by ISD staff
  - Administrative Site Plan Review
    - ✦ Specific criteria must be met, reviewed by Planning Department and the Commissioner of ISD for approval
    - ✦ Used mainly for wireless installation and institutional uses
  - Special Permit
    - ✦ Lengthy process involving Planning Department Zoning Review and Public Hearing with the Board of Aldermen
    - ✦ Many different kinds of special permits with varying criteria
- The Board of Aldermen may change the Zoning Ordinance through legislation

# Draft 1921 Zoning Map





# 2011 Newton Zoning Map





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# Zoning Reform Toolkit

- Levels of Zoning Reform:
  - Audit for problem areas
  - Specific targeted changes
  - Reorganization without changing outcomes
  - Comprehensive re-write
- Types of Zoning:
  - Use-Based Zoning
  - Negotiated Zoning
  - Performance Zoning
  - Form-Based Zoning (and the New Urbanists)
  - Incentive Zoning
  - Hybrid Zoning Ordinances
- Regulatory Process
  - Clarity and predictability
  - Permissive or restrictive

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## Principles

- “The Zoning Ordinance should...”
  - Be easy to use, administer, and enforce
  - Be well organized, indexed, and cross referenced
  - Use clear and modern language
  - Be internally consistent
  - Produce predictable, desired results
  - Balance flexibility and predictability
  - Facilitate the implementation of the *Comprehensive Plan*

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## Subcommittee Recommendations

- Subcommittee

- Residential
- Commercial
- Institutional, Public Use, & Open Space

- Purpose

- Identify goals in the Comprehensive Plan
- Identify areas where zoning could be improved to better meet city goals
- Consider general approaches to address these areas

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## Commercial Subcommittee

- **Goals**

- Encourage flexible, moderate growth
- Preserve and restore the character, walkability, and residential vitality of our village centers
- Allow mixed-use development
- Increase City revenues and employment opportunities

- **Areas for Improvement**

- Need a definition of mixed-use
- Increase residential density near village centers
- Zoning districts along mixed use corridors and in village centers do not match reality or need—consider overlays
- Use site plan approval for minor special permits
- Revise project review process to better balance neighbors and developers, including measurements of real impacts
- Revise allowed uses to proactively incorporate existing and future uses (such as R&D)
- Revise and update parking regulations
- Revise inclusionary zoning to allow hotel uses

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## Residential Subcommittee

- **Goals**

- Create and maintain a more varied housing stock to serve a diverse socio-economic population
- Meet the 10% affordable housing goal
- Preserve existing neighborhood character

- **Areas for Improvement**

- Develop a long-term strategic plan for housing
- Allow increased residential density in some parts of the city
- Allow multifamily housing by right in some zones
- Create “soft transitions” around village centers
- Create more mixed-use housing in village centers and near transit nodes
- Offer incentives for the creation of mixed-use, affordable, or other desired housing types in business zones
- Reduce parking requirements near public transportation
- Encourage reuse of existing buildings
- Revise inclusionary housing regulations
- Streamline the permitting process

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# Open Space, Public Uses, and Institutions Subcommittee

- **Goals**

- Zoning should respond both to institutional needs and community interests
- City regulations should be Dover amendment compliant
- Protect and preserve existing open space resources and large remaining open spaces

- **Areas for Improvement**

- Create an institutional master-plan process, similar to that used in Boston and Cambridge
- Revise dimensional and parking regulations for institutions
- Allow mixed-use projects in public use zones
- Review cluster zoning and subdivision rules
- Explore incentives for encouraging provision of open space
- Create a more objective measure of “significant contribution to the... conservation of natural resources and energy.”

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## Breakout Sessions

- Three topic tables:
  - Residential
  - Commercial
  - Institutional, Public, and Open Space
- Ground Rules:
  - Two 20 minutes periods, with the option to move
  - ZRG Members will facilitate discussions
  - Comments should focus on **principles and goals** and on **areas for improvement**
- After the breakout period, each group will compile a list for “red-dot voting”



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## Next Steps for the ZRG

- Your input
- Red-dot voting
- Consider process for zoning reform
  - Study how other communities have reformed their zoning
  - Learn more about what zoning consultants can do
  - Locate funding and resources to support reform
- Second fall public workshop to discuss “process”
- Determine products for the fall
  - Set of principles, specific goals
  - List of recommendations
  - Process for reform (including schedule)
  - RFP/RFQ for consultants
- Recommend scope and process for reform

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## Pathways to Reform

- Determine the scope for zoning reform:
  - Audit for problem areas
  - Specific targeted changes
  - Reorganization without changing outcomes
  - Comprehensive re-write
- Determine the process for reform
  - Citizens committees
  - City Staff
  - Outside consultant
    - ✦ Request for Qualifications (RFQ)
    - ✦ Request for Proposals (RFP)
- Support legislation with the Board of Aldermen
  - Need your energy to advocate for reform